Address by High Representative and EU Special Representative Valentin Inzko to the BiH Parliamentary Assembly

A New Choreography

Excellencies, Speakers, Ministers, Members of the Collegium, Parliamentarians, Ladies and Gentlemen,

Thank you for inviting me to speak to you today. I am happy to be back in Bosnia and Herzegovina. I intend to work with you and with the people of this country, and to extend my hand to you.

Each High Representative, and of course EU Special Representative, has faced a different set of challenges.

My approach is based on the belief that Bosnia and Herzegovina can not simply survive and subsist, but that it can succeed and prosper. I believe the people of this country have the resources and the capabilities to make that happen.

For me, Bosnia and Herzegovina is a nursery of talent, a country of fine and gifted people, and I intend to work with them, with those people.

Clearly, the familiar dance of standard arguments has not taken us where we want to go.

This is why I believe Bosnia and Herzegovina needs a new choreography.

It takes two to Tango, of course, and even more to do the "kolo" but I am certain that there is a majority – in this Parliament and in the country – who are ready to try out new dance steps.

For we should be able to reach agreement easily on the joint objective of giving the people of this country – no matter where they come from, no matter their religion, gender or age – a dignified and peaceful life based on mutual respect and trust, and on justice, a life without fear, a life of safety and security.

As EU Special Representative, I will seek to facilitate progress on Bosnia and Herzegovina's path to the EU through advice, mediation and facilitation in all efforts and steps taken in that direction.

On the other hand, as High Representative I will ensure that all parties comply with the Dayton Peace Accords and that the reforms and institutions built to realize the competencies of the state are not undermined or pushed back to the margins of society.

In my role as High Representative I speak on behalf of the International Community and there is one point I want to be very clear on. There is only one ship that will take the citizens and constituent peoples of this country into the EU and NATO – that is a sovereign and united Bosnia and Herzegovina.

Time to Stop Dithering

I said we need a new choreography because the current dance

steps are taking us in the wrong direction. Since April 2006, the political establishment has been focused on division – at a time when a sense of common purpose has been absolutely indispensable.

Honestly! This cannot continue!

There was an expectation, widely shared both here and abroad, that last June's signature of the Stabilisation and Association Agreement with the EU would unleash a single-minded and energetic determination to make Bosnia and Herzegovina's European aspiration a reality.

But this hasn't happened.

Bosnia and Herzegovina cannot integrate into the EU if it does not integrate itself.

I remain convinced that this integration is possible. It will be achieved by active citizens, by parliamentarians and by party leaders, through dialogue and sound compromise.

I am aware that in the recent past a small number of influential individuals have conspicuously *not* participated in these efforts.

But in this country there can be a powerful coalition of those who want change, who openly support mutual understanding, who want to stop the dithering and strike out for Europe.

That coalition can prevail, and members of this parliament can be part of it.

Visa Liberalization Delay

In March, this Parliament took the historic step of adopting the first amendment to the Bosnia and Herzegovina Constitution. Initiated through political compromise among three political party leaders, the amendment was adopted because Parliament chose to support a change that was good for

Brcko and good for Bosnia and Herzegovina.

Politicians in this country have often been targeted by criticism – much of it deserved – still, it is worth reflecting on what the Brcko constitutional amendment says about the capacity of this Parliament to deliver real and positive change. As a next step, my recommendation to you, the members of this Parliament, and also to the political establishment as a whole, is to take a close and critical look at the way your institutions function, because the March achievement can be repeated over and over again.

Just to give you a practical example of what it means. Croatia is currently enacting 200 new laws annually in order to align itself with the EU. Last year this Parliament enacted barely 16 new laws, and only seven of these were European Partnership laws. The results from the first quarter of 2009 indicate some improvement, but no substantial improvement on that performance.

This isn't due to a lack of political expertise. It's due to a lack of political will.

The result – to take just one major example that is now trying the patience of millions of BiH citizens – is that visa-free access to the EU is being blocked or delayed unnecessarily.

The European Commission recently wrote to this parliament about six outstanding laws whose adoption is required under the visa liberalization road map.

Four of these laws have already failed in parliament [Law on Border Control, Law on Weapons, Law on Transportation of Dangerous Materials, Law on International Aid] and a fifth is facing strong opposition [Law on Control of Movement of Weapons and Military Equipment]. In this room today, it is clear to everyone who is behind the failure in adopting these laws. These parties and political leaders also bear the main responsibility for delays in visa liberalisation.

The appointment of police boards, part of the implementation of key SAA legislation and the visa liberalization road map, failed in the House of Peoples because of objections from some of the same parties which supported these measures in the other house.

There have been similar cases where political parties support crucial legislation through their representatives in the Council of Ministers, only to reject the same laws when they come before the Parliament. This is not the kind of responsible politics expected from responsible figures in a country that wants to advance towards the European Union.

Endless discussion about the distribution of competencies between the state and the entities isn't solving the visa issue.

It isn't solving any of the other issues that really make life in this country much harder than it ought to be.

You have to move past the rhetoric – as you did with adoption of the Brcko Constitutional Amendment.

The state and the entities have their place in the constitutional order, of course, and no one can change that without the consent of Bosnia and Herzegovina's constituent peoples and a 2/3 majority of the parliament.

New Ways to Solve Old Problems

As High Representative I am mandated to ensure that the constitutional settlement is upheld. I am also mandated to ensure that there is no attempt to dismantle or discredit the institutions of the state.

At the same time, I will not tolerate steps to block Bosnia and Herzegovina's progress towards the EU.

As EU Special Representative, I will play a strong role in facilitating compromise and progress on a more comprehensive

European integration agenda.

In this regard, I propose that this Parliament find new and concrete ways to broker agreements and expedite adoption of laws crucial to Bosnia and Herzegovina's European path.

This could include changing rules of procedure to expedite consideration and adoption of EU integration laws and formalizing coordination between state and entity parliamentary EU integration committees.

A Normal Country

As High Representative I will facilitate progress on the five objectives and two conditions set by the PIC Steering Board for Bosnia and Herzegovina's transition to a comprehensive EU presence.

The PIC countries, including the EU member states, will insist on full completion of the objectives, including state property and defence property, and see these as closely linked to the EU/NATO accession agenda.

The EU has made it very clear that Bosnia and Herzegovina should not apply for EU membership before these objectives and conditions have been fulfilled. This is an issue of credibility, both for Bosnia and Herzegovina and the EU.

The recent decision by the Council of Ministers to initiate an inventory of state property with the appropriate scope was a welcome breakthrough, but it is just the first step. An inter-governmental agreement and law will be required, as laid out by the PIC Steering Board, and eventually the support of this parliament will be crucial.

Bosnia and Herzegovina must have the property it needs to exercise its competencies as a normal country.

The second of the two conditions is that the PIC is in a position to make a positive assessment of the political

situation based on full compliance with the Dayton Peace Agreement.

This condition will not be met as long as there are challenges to the sovereignty and territorial integrity of Bosnia and Herzegovina, challenges to the authority of OHR, or attempts to undermine state institutions and roll back state-building reforms.

In other words, those who choose to block or undermine reforms are the ones keeping OHR in the country.

One example of a core Dayton issue still unresolved is Annex 7. The Annex 7 Strategy is currently under consideration in this Parliament. I believe the concerns expressed by the various delegates are now reflected in the document. Return and local integration are dealt with, as are funds for reconstruction and the issue of compensation.

I urge you to adopt the document, and to support its implementation fully in order to make sure your concerns are properly addressed. There are more than 100,000 people in Bosnia and Herzegovina who are still displaced. They need proper assistance programmes, and the Annex VII Strategy will provide the basis for this.

The PIC Steering Board has urged you to ensure its quick adoption and implementation. It is my earnest hope that we will be able to report progress on this issue in June at the next PIC session.

As High Representative I will not tolerate attempts at rolling back progress achieved on key reforms, such as the Civil Service. Attempts at undermining the independence of the civil service by introducing further political influence and extending exemptions to the law represent a step backwards in the Public Administration Reform. They must cease.

Nobody Is Above the Law

I will continue to support the entrenchment of the rule of law. Nobody is above the law. Nobody is an exception.

I am particularly concerned about problems in the implementation of the Judicial Sector Reform Strategy. Adopting this strategy was part of the rule of law condition for OHR-EUSR transition.

In this climate, I strongly believe that the international presence in the BiH judiciary needs to be maintained during the coming period. The extension of mandate will need to be undertaken through legislative action. I expect, therefore, that this will also be a priority of this parliament.

Constitutional Reform

Overarching all these challenges is the issue preceding all others, and that is the issue of constitutional reform – this is necessary first and foremost because Bosnia and Herzegovina isn't working efficiently. The system has to be changed because the country needs efficient and representative government that can start helping to raise living standards.

In addition, as part of the EU integration process the constitution has to be brought into line with the European Human Rights Charter.

I welcome and encourage the efforts of this Parliament to lay the groundwork for taking constitutional reform forward. Constitutional Reform is not a condition for OHR-EUSR transition, but the EU has been clear that some changes will be required before Bosnia and Herzegovina can join the EU.

In my capacity as EUSR I will, together with other international community partners, facilitate agreement on this process if requested. The Prud leaders signed a document last November committing themselves to start a process of constitutional reform in which the international community will be involved, and as many parties from this Parliament as

possible, of course, in order to lay the widest possible grounds for possible agreement and to facilitate reaching a 2/3 majority.

It is first essential to work towards agreeing common ground on content and timing. I believe there is a window of opportunity to deliver something – and something substantial – by the end of this year. Again this is a test for the Parliament, for your parties and party leaders. It is up to you to demonstrate that you can take the country forward on this crucial issue.

Poverty Reduction

Esteemed parliamentarians, the effects of the global economic crisis are evident throughout the country. Poverty is deep and widespread – and this demands a collective response.

I am aware that different levels of government have already adopted different measures to alleviate the effects of the crisis but they all seem to lack the necessary concreteness and urgency. Also, if these measures are to work, they need to be coordinated.

The IMF agreement will make resources available, and additional resources for public services can be freed up by rationalising budgets, so that funds are disbursed equitably to everyone, and not disproportionately to a privileged few. It is imperative that the state is properly funded so that it can carry out its responsibilities to citizens and its obligations under the Euro-Atlantic integration process.

I have to tell you that – tempting though it may be – protectionism is not the answer to the crisis. Protectionism leads in the long run to fewer goods, poorer quality goods, less choice, and finally higher prices.

The Law on Protection of Domestic Production, currently before the House of Peoples, is an example of how not to address this

country’s economic problems. This law is not in line with CEFTA, and it could severely affect Bosnia and Herzegovina’s European integration prospects. Moreover, Croatia and Serbia have already threatened retaliatory measures, which clearly would be to the detriment of Bosnia and Herzegovina. Therefore, I urge the parliamentarians to use common sense and reject this law in the second reading. In addition, CEFTA procedures were not upheld, and these procedures are specifically designed for cases such as this.

Additionally, failing to meet prior commitments damages the credibility of the country and its institutions.

The electricity sector reform, for example, was endorsed by this Parliament several years ago. It brought Bosnia and Herzegovina ahead of its neighbours in this area and portrayed the country as a serious investment partner.

Now the cornerstone of this reform, the BiH Electricity Transmission Company (Elektroprenos BiH) is being prevented from functioning in accordance with legislation that you passed. You also have responsibility for ensuring consistent implementation of this legislation, especially as this was a precondition for commencing negotiations on the SAA.

Put Aside the Distractions

It is clear that the last 16 months of this parliamentary mandate can and must deliver significantly more than it has delivered so far.

I will work with you on strengthening measures that will lead to Euro-Atlantic integration, which already enjoys a massive political and popular consensus. This means that we must put aside the distractions that have brought progress to a standstill in the recent past. I will also not tolerate challenges to the sovereignty and territorial integrity of Bosnia and Herzegovina. The European Union has made absolutely clear that it will only accept Bosnia and Herzegovina as a

single country and that it is an absurdity for a country to consider breaking apart at the same time as its leaders express an intention to join the unified EU.

To that end, my visits last week to Belgrade and Zagreb, on Tuesday and Friday respectively, were very important because both Belgrade and Zagreb again expressed support for a unified Bosnia and Herzegovina and for a Bosnia and Herzegovina that will become a candidate for the United Nations Security Council as of 1 January next year.

For this parliament, my message is this: you must find the same political will that you showed on the Brcko Constitutional Amendment. As elected representatives you have a duty to build consensus that will take this country where its people want to go – to Europe. The EU is willing to help in every possible way, but the ultimate responsibility is yours.

Genuine progress comes after resolving the big problems, and not the simple ones. The growing poverty and painfully slow progress on the European road represent difficult problems that require urgent resolution – and those solutions can only come with a new approach to the problem itself. Now is the time to take creative and brave steps. And I believe you are capable of taking such steps. I hope and pray that you will do all this.

Let me congratulate you once again on Europe Day.